

FILED

JUL 23 2014


Clerk

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

LARRY DEAN COCHRUN, * CIV 14-4004

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Petitioner,

*

vs.

ORDER

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BOB DOOLEY, Warden; and
ATTORNEY GENERAL FOR THE
STATE OF SOUTH DAKOTA,

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Respondents.

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The Report and Recommendation of Judge Simko and the Objections of Petitioner Cochrun and the remainder of this file have been reviewed *de novo* by this Court.

There is no jurisdiction in this Court to grant relief for these claims even if there was merit to the claims of Petitioner. The lack of jurisdiction for these claims in this Court is correctly set forth in the Report and Recommendation and the Report and Recommendation is incorporated into this Order of this Court.

Petitioner's Objections are denied and the case is dismissed with prejudice. There is no basis for certifying any issue for appeal from this decision. Accordingly,

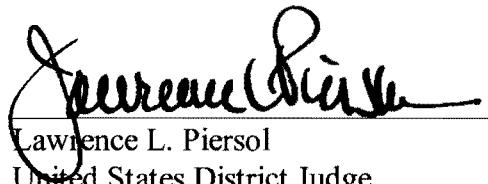
IT IS ORDERED:

1. That Petitioner Cochrun's Objections, Doc. 7, to the Report and Recommendation are DENIED, and the Report and Recommendation, Doc. 6, is ADOPTED and Petitioner's § 2254 Petition for Writ of Habeas Corpus, Doc. 1, is dismissed with prejudice.
2. That Petitioner's Motion to Proceed *in forma pauperis*, Doc. 3, is GRANTED.
3. That Petitioner's Motion to Amend, Doc. 5, is DENIED as moot.

4. That Petitioner's subsequent filing on May 7, 2014, Doc. 8, was also considered and is DENIED.
5. That a Certificate of Appealability shall not issue.
6. That Petitioner's Motion to Proceed in forma pauperis, Doc. 6, is granted, and Petitioner's \$5.00 filing fee has already been paid to the Clerk of Courts.

Dated this 23rd day of July, 2014.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: Summer Wahydi
DEPUTY